

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

REBECCA HARE,

Plaintiff,

v.

CAROLYN W. COLVIN,
Commissioner of Social Security,

Defendant.

No. CV-14-0037-JTR

ORDER DENYING PLAINTIFF'S
MOTION FOR DEFAULT
JUDGMENT

BEFORE THE COURT is *pro se* Plaintiff's May 27, 2014, pleading entitled "Request for Default Judgement." ECF No. 11. Plaintiff complains Defendant has failed to respond in this matter.

The Court file indicates the Office of the United States Attorney has not filed a notice of appearance in this case, and no Answer to Plaintiff's Complaint, filed on January 30, 2014, has been filed by Defendant. However, from a review of the summons, ECF No. 10, it appears Defendant has not been properly served in this case. *See* Fed. R. Civ. P. 4(i)(1)(A). Plaintiff has 120 days from the date of the filing of the Complaint in which to effectuate service. Fed. R. Civ. P. 4(m).

Once Plaintiff properly serves Defendant, Defendant will thereafter file an Answer and lodge the Administrative Record. It can take several weeks for the Administrative Record to be located and filed with the Court. Upon Plaintiff's receipt of the Administrative Record, Plaintiff will be responsible for preparing a

1 proposed stipulated scheduling order and proposed order setting forth the briefing
2 schedule for the case. Plaintiff will determine the briefing dates, allowing
3 Defendant 42 days to respond to Plaintiff's motion for summary judgment unless
4 otherwise requested. With respect to the hearing date for the cross-motions,
5 Plaintiff shall contact the Office of the United States Attorney for the Court's next
6 available date.

7 Based on the foregoing, Plaintiff's motion for default judgment, **ECF No.**
8 **11**, is **DENIED**.

9 **IT IS SO ORDERED.** The District Court Executive is directed to file this
10 Order and provide a copy to Plaintiff.

11 DATED May 27, 2014.



A handwritten signature in black ink, appearing to be "M", is written over a horizontal line.

JOHN T. RODGERS
UNITED STATES MAGISTRATE JUDGE